

HOUSE BILL 2072
By Herron

AN ACT to amend Tennessee Code Annotated, Title 71, Chapter 5, relative to procedures and coverage under the TennCare program.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 71, Chapter 5, Part 1, is amended by adding the following language as new, appropriately designated sections:

Section _____. Notwithstanding any other provision of law, rule, regulation or policy to the contrary, any required thirty-day (30 day) waiting period for a voluntary sterilization procedure, including but not limited to tubal ligation, for an enrollee in the TennCare program shall be waived if the procedure is to be performed while such person is an in-patient in a hospital for any other authorized purpose.

Section _____. It is the public policy of this state that enrollees in the TennCare program are to be those residents of the state who are Medicaid eligible or who are unable to obtain health insurance either through an employer or, due to a pre-existing condition, are unable to obtain other types of health insurance. Therefore, subject to the provisions of the federal waiver, no person shall be eligible to be an enrollee in the TennCare program if other insurance is available to such person. Any person who has knowledge of a TennCare enrollee not in compliance with this policy shall notify the TennCare Bureau and appropriate action shall be taken to remove such enrollee from the TennCare program.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

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